

REMARKS

Claims 1-31 are pending in the patent application. Claims 1-31 were rejected in the office action mailed on November 23, 2005. Claims 1, 14, 15, and 18 are amended by this paper. The Applicants thank the Examiner for the telephonic interview held between Applicants' Attorney and the Examiner on February 22, 2006. Potential claim amendments were discussed during the telephonic interview to overcome the rejection of the claims based on U.S. Patent No. 6,278,795 ("Anderson") in view of U.S. Patent No. 5,423,527 ("Tranquilla") in further view of U.S. Patent No. 4,451,027 ("Alper"). No agreement was reached between the Applicants' attorney and the Examiner to overcome the rejection.

35 U.S.C. § 103 Rejection

Claims 1-31 were rejected based on 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,278,795 ("Anderson") in view of U.S. Patent No. 5,423,527 ("Tranquilla") in further view of U.S. Patent No. 4,451,027 ("Alper"). One basic requirement for a *prima facie* case of obviousness is that the prior art references must teach or suggest all of the claim limitations. M.P.E.P. § 2143. Anderson in view of Tranquilla and further in view of Alper does not satisfy this test.

The Examiner has stated that:

Anderson does not disclose a transportation mechanism including a first portion adapted to transport bills at a first speed and a second portion adapted to transport bills at a second speed or a controller adapted to cause the first portion and the second portion of the transport mechanism to transport bills at substantially the same speed when the distance between consecutive bills transported by the transport mechanism is at least a predetermined distance, the controller being adapted to cause the first portion of the transport mechanism to slow the speed at which bills are transported such that the first speed is less than the second speed when the evaluation unit determines the distance between two consecutive bills transported by the transport mechanism is less than the predetermined distance.

Thus, Tranquilla and Alper must supply the teaching lacking in Anderson. However, the disclosure of Tranquilla and Alper fail to disclose the evaluation unit determining the distance between two consecutive documents.

Tranquilla is generally directed to a document transport mechanism and a method of adjusting the spacing between consecutive documents within the document transport mechanism. Tranquilla states that an object of his invention is to “provide means for spacing correction, performed by changing the transport speed in an intermediate section of the transport, rather than by changing transport speed at the input segment of the transport.” Tranquilla, Col. 2, ll. 29-33. Tranquilla additionally teaches “spacing correction is performed by automatically changing transport speed at a ‘intermediate’ transport segment, rather than by changing transport speed for an initial (input) segment.” *Id.*, Col. 7, ll. 10-13. Tranquilla further teaches that the spacing correction between consecutive documents occurs before the document that is slowed down to increase the gap between documents before the documents reach the read drum. *Id.*, Col. 4, ll. 11-17. Tranquilla further instructs that obtaining information from documents fed through the device need a minimum spacing in order to be read by various systems of the Tranquilla device. *Id.*, Col. 3, ll. 39-46. Thus, Tranquilla indicates that the spacing of consecutive documents needs to be corrected before the documents are evaluated.

Alper discloses a document feeder that adjusts the spacing of consecutive documents before the documents are fed into transporter path. Alper, Col. 1, ll. 65-68. Alper discloses that documents are fed from an input receptacle into a low speed servo section comprising three roller sets 18, 20, and 22. *Id.*, Col. 3, l. 60 - Col. 4, l. 1. From the low speed servo section the documents are fed into a high speed servo section comprising three roller sets 24, 26, and 28. After leaving the high speed servo section, the documents are fed into the first roller set 30 of the transporter path. *Id.*, Col. 3, ll. 37-39, FIG. 1. The low speed servo section and the high speed servo section have a constant velocity ratio. *Id.*, Col 5, ll. 2-5. Alper further discloses that the gap between consecutive documents is determined as the trailing edge of the first document leaves the low speed servo section and enters the high speed servo section. *Id.*, Col. 4, ll. 7-28. After the first document enters the transporter path, the speed of the high speed and low speed servo section are adjusted to correct

the gap between the first and the second document. *Id.*, Col. 4, ll. 32-41. Thus, Alper teaches that all spacing correction is performed prior to performing any evaluation of the individual documents.

Independent claim 1 has been amended to recite “an evaluation unit adapted to determine information concerning each of the currency bills, including information adapted to determine a denomination of each of the currency bills and a distance between consecutive currency bills,” as well as “the controller being adapted to cause the first portion and the second portion of the transport mechanism to transport bills at substantially the same speed when the distance between consecutive bills transported by the transport mechanism is at least a predetermined distance, the controller being adapted to cause the first portion of the transport mechanism to slow the speed at which bills are transported such that the first speed is less than the second speed when the evaluation unit determines when the distance between two consecutive bills transported by the transport mechanism is less than the predetermined distance after the consecutive bills have been transported past the evaluation unit and the information adapted to determine the denomination of each of the consecutive currency bills is determined.”

Independent claim 13 has been amended to recite “determining information concerning each of the bills with an evaluation unit including information adapted to denominate of each of the bills,” “determining the distance between consecutive currency bills being transported by the transport mechanism with the evaluation unit,” and “slowing the speed at which the first portion of the transport mechanism transports bills when the determined distance between consecutive first and second currency bills transported by the transport mechanism is less than a predetermined distance after the consecutive currency bills have been transported past the evaluation unit and the act of determining the information adapted to denominate each of the consecutive currency bills is complete.”

Independent claim 18 has been amended to recite “an evaluation unit disposed along the transport path adapted to determine information concerning each of the currency bills including information adapted to determine a denomination of each of the currency bills and a distance between consecutive currency bills,” and “the controller being adapted to cause the first portion of the transport mechanism to slow the speed at which bills are transported such that the first speed is less than the second speed when the evaluation unit determines that the distance between two

consecutive bills transported by the transport mechanism is less than the predetermined distance after the consecutive bills have been transported past the evaluation unit and the information adapted to determine the denomination of each of the consecutive currency bills is determined.”

Therefore, independent claims 1, 13, and 18 all recite the evaluation unit determining a distance between consecutive documents and all of the independent claims recite gathering information for determining the denomination of a currency bill with the evaluation unit. As previously discussed, Tranquilla and Alper fail to disclose the evaluation unit adapted to gather information used for determining a denomination for each of the currency bills and the spacing between consecutive currency bills. Rather, these references disclose determining and correcting the spacing between documents before evaluating the documents. Thus, the amended independent claims 1, 13, and 18 recite a concept that is neither taught nor suggested by either Tranquilla or Alper. Therefore, Anderson in view of Tranquilla further in view of Alper fail to set forth a *prima facie* case of obviousness, as at least one claimed limitation of independent claims 1, 13, and 18 is neither taught nor suggested by the applied references.

Claims 2-12 depend either directly or indirectly from claim 1. As not all of the limitations of claim 1 are taught or suggested by Anderson in view of Tranquilla further in view of Alper, not all of the limitations of claims 2-12 are taught or suggested by Anderson in view of Tranquilla further in view of Alper.

Claims 14-17 depend either directly or indirectly from claim 13. As not all of the limitations of claim 13 are taught or suggested by Anderson in view of Tranquilla further in view of Alper, not all of the limitations of claims 14-17 are taught or suggested by Anderson in view of Tranquilla further in view of Alper.

Claims 19-31 depend either directly or indirectly from claim 18. As not all of the limitations of claim 18 are taught or suggested by Anderson in view of Tranquilla further in view of Alper, not all of the limitations of claims 19-31 are taught or suggested by Anderson in view of Tranquilla further in view of Alper.

Information Disclosure Statement

The Office Action Indicates that the listing filed with the September 26, 2005 were not considered as they appeared to be duplicates of the previously submitted Information Disclosure Statements. The submission made with the September 26, 2005 were in fact copies of the previously submitted listings that were submitted for the Examiner's convenience. Applicants continue to believe that all of the references listed on the Form PTO-1449 forms submitted in this case are contained within the Cummins-Allison library located at PK5-5T11 that was created in cooperation with the United States Patent and Trademark Office ("PTO"). The Cummins-Allison Library was created to reduce the number of copies of references that need to be sent to the PTO by providing many commonly cited references in a central location. Applicants respectfully request that the Examiner consider the references cited on the Form PTO-1449 that have been indicated as not being submitted as Applicants believe that such references are in fact contained within the Cummins-Allison Library as indicated on the Information Disclosure Statement, and as such should be considered by the Examiner. As indicated on the Information Disclosure Statements filed the Examiner may contact Primary Library Coordinator Mark Beauchaine, whose new telephone number is (571) 272-6934, Secondary Library Coordinator Jeff Shapiro, whose new telephone number is (571) 272-6943, or the undersigned , with any questions concerning the Cummins-Allison Library.

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Conclusion

The Applicants submit that the claims are in a condition for allowance and action toward that end is earnestly solicited. No fee is believed due with the current paper. Should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47171-00409USPT.

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Respectfully submitted,

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